

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

|  |   |                  |
|--|---|------------------|
| <b>ELEKTRA ENTERTAINMENT GROUP<br/>INC., et al.,</b> | ) |                  |
|  | ) |                  |
|  | ) |                  |
| <b>Plaintiffs,</b>                                   | ) | <b>8:06CV524</b> |
|  | ) |                  |
| <b>vs.</b>   | ) | <b>ORDER</b>     |
|  | ) |                  |
| <b>SAMANTHA SMITH,</b>                               | ) |                  |
|  | ) |                  |
| <b>Defendant.</b>                                    | ) |                  |

This case is before the magistrate judge for full pretrial supervision. The court file shows that the defendant was served with summons on August 20, 2006. Apparently, the defendant has failed to timely answer or otherwise respond to the complaint. It remains plaintiffs' duty to go forward in prosecuting the case by, for example, obtaining an entry of default and filing a motion for default judgment.

**IT THEREFORE IS ORDERED** that plaintiffs are given until **November 15, 2006** to (1) obtain an entry of default and (2) file a motion for default judgment, or take other appropriate action to prosecute the case. If appropriate action is not taken, I will recommend that the case be dismissed without prejudice pursuant to NECivR 41.1 for failure to prosecute.

**DATED October 12, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**